

**ORDINANCE
CITY OF SAINT PAUL, MINNESOTA**

Presented by _____

Off-street Parking Requirements and Design Standards Zoning Amendments

An ordinance amending various sections of the Saint Paul Zoning Code: Leg. Code § 60.200, General Definitions; Leg. Code § 63.200, parking requirements; Leg. Code § 63.300, off-street parking facility standards and design; Leg. Code § 65, land use definitions and development standards; Leg. Code § 66, zoning district uses; and, Leg. Code § 67, overlay districts; and creating a new section § 63.122, entitled “Travel demand management.”

WHEREAS, the Planning Commission passed a resolution on May 22, 2009, file number #09-33, initiating a zoning study to consider amendments to the zoning code regarding off-street parking facility standards and design in response to new policies in the Saint Paul Comprehensive Plan related to land use, transportation and the environment, and to changing best practices in parking management across the country; and

WHEREAS, the Planning Commission, on December 18, 2009, released draft off-street parking requirement and design standards zoning amendments for formal public review and conducted a public hearing on January 22, 2010, notice of which was published pursuant to Minnesota Statutes § 462.357, Subd. 3, and sent to the Early Notification System and other interested parties; and

WHEREAS, the Planning Commission considered the public testimony, made a few modifications to the draft code amendments, and submitted its recommendations on these Zoning Code amendments to the City Council on March 12, 2010; and

WHEREAS, the City Council having conducted a public hearing on the proposed off-street parking requirements and design standards at which all interested parties were given an opportunity to be heard, notice of which was published in the *Legal Ledger* and sent to the City’s Early Notification System; and having considered all the facts and recommendations concerning the amendments;

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

That Legislative Code Chapter 63, Regulations of General Applicability, pertaining to off-street parking requirements, facility standards and design, is hereby amended as follows:

Sec. 63.201. Off-street parking.

~~Except in a B-4 or B-5 district, o~~Off-street parking spaces shall be provided in all districts, except B4 and B5, at the time of erection, enlargement or expansion of all buildings in accordance with the requirements of this section. Before a certificate of occupancy shall be issued, the number of off-street parking spaces provided shall be as hereinafter prescribed. ~~In the TN3 traditional neighborhood district, the number of off-street parking spaces provided shall be at least two-thirds (2/3) of the number hereinafter prescribed.~~

Sec. 63.202. Site plan required.

A site plan approved by the planning commission shall be required for the establishment of a new off-street parking facility, for the paving of an unimproved off-street parking facility and for the repaving of an off-street parking facility whose existing paved surface is removed. These facilities shall meet all standards and regulations for parking facilities and site plans contained in this zoning code, and all paving shall require a building permit pursuant to

chapter 33 of the Legislative Code. In such case, where the zoning administrator determines that excess parking exists for the site, the parking shall be brought into compliance with this zoning code unless there is an existing shared parking arrangement. A site plan shall not be required when a new coating is applied over an existing paved surface. Site plans for one- to four-family dwellings may be approved by the zoning administrator.

Sec. 63.203. Multi-tenant buildings and shared areasspaces.

The parking requirement for each use in a multi-tenant building shall be determined based on the percentage of the gross floor area used by each use in the multi-tenant building including shared areas. ~~Any shared space, such as an atrium, common area, utility area, unfinished basement, public or shared restrooms, staircase or elevator area shall be considered, for purposes of determining parking requirements, the same as storage areas. Uses with access to these shared spaces shall be responsible for providing the required parking for these spaces.~~

Sec. 63.204. Change in use within a structure.

~~When any uses which exist within a structure change to a new use, the following rules shall apply:~~

~~(a) Change in use requiring additional parking. Except when commercial uses are established in the BC district or when parking is specifically required for a conditional use permit, when any existing uses change to new uses which require six (6) or more additional off street parking spaces than the existing uses, the six (6) or more additional spaces shall be provided along with the spaces already provided. New uses which require five (5) or fewer spaces than the existing uses shall be exempt from providing additional spaces. However, this exemption provision shall be calculated cumulatively starting from adoption of this provision on January 3, 1994, so that no property receives a total exemption of more than five (5) spaces.~~

~~(b) Change in use requiring less parking. When any existing uses change to new uses which require fewer off-street parking spaces than the existing uses, the new uses requiring fewer off-street parking spaces shall be considered as the existing uses when determining any subsequent change in use requiring additional off-street parking spaces in (1) above.~~

~~(c) Vacant structures. When any existing use within a structure changes to a new use which requires more off-street parking spaces than the existing use as determined by Section 63.207, then the additional required off-street parking spaces must be provided. If fewer off-street parking spaces are required by the new use, excess parking spaces may remain.~~ When a structure, or part of a structure, is vacant, the zoning administrator shall determine the previous existing use for purposes of calculating parking requirements using city records, land use surveys or directories.

Sec. 63.205. Change in use of parking areas.

~~Designated or identifiable e~~Existing off-street parking facilities, accessory to one (1) or more principal uses, structures or facilities, may be changed to another use when the remaining off-street parking meets the requirements that this section would impose on new buildings for all facilities, structures or uses, including the new use. When the remaining off-street parking does not meet such requirements, ~~other off-street parking shall be substituted for the parking spaces changed to another use, and~~ additional off-street parking shall be provided for the existing and new uses in accordance with the requirements of this Section 63.207.

Sec. 63.206. Rules for computing required parking.

(a) For the purpose of computing the number of parking spaces required, the definition of "gross floor area" in section 60.207 shall apply.

(b) When units or measurements determining the number of required parking spaces result in the requirement of

a fractional space, any fraction up to and including one-half (1/2) shall be disregarded, and any fraction over one-half (1/2) shall require one (1) parking space.

(c) There shall be provided off-street parking spaces for all premises licensed for on-sale intoxicating liquor (excluding restaurants licensed for wine, strong beer, or nonintoxicating malt liquor) or entertainment as provided herein:

(1) Issuance of a license to an existing structure not previously licensed during the twenty-four (24) months preceding the application, off-street parking pursuant to section 63.207.

(2) Expansion of a licensed structure with an on-sale intoxicating liquor ~~or an entertainment~~ license, off-street parking at the same rate as transfer or new issuance to an existing structure not previously licensed, plus twenty-five (25) percent of any parking shortfall for the existing building licensed area. "Parking shortfall" shall mean the difference between required parking pursuant to section 63.207 for the existing licensed structure minus the number of parking spaces actually provided for that structure.

(3) Expansion of a licensed structure with an on-sale intoxicating liquor ~~or an entertainment~~ license, or an upgrade in an entertainment license, when located within six hundred fifty (650) feet of another existing establishment with an on-sale intoxicating liquor or entertainment license shall provide an additional fifteen (15) percent of any parking shortfall.

~~(d) When at least one (1) of two (2) or more uses has a parking deficiency and their peak parking hours do not overlap, the zoning administrator may permit the dual function of their off-street parking spaces as long as peak parking hours for the uses do not overlap and the uses within the buildings do not change and thereby require additional off-street parking. Building owners with such shared parking permits shall submit an annual statement to the department of safety and inspections which verifies the nonconcurrent peak parking hours of the buildings involved with the shared parking permit and a list of uses within each building to verify no changes in uses which would require additional parking.~~

~~(e) If parking spaces are provided for self parking, accessible spaces shall be provided as required by the Accessibility Guidelines for Buildings and Facilities of the Americans with Disabilities Act (ADA) in conformance with the table below. One (1) in every eight (8) accessible spaces, but at least, shall be van accessible. Required spaces need not be provided in the particular lot but may be provided in a different location if equivalent or greater accessibility is ensured. Each space reserved for the exclusive use of the handicapped shall be designated by a sign with the international wheelchair symbol. Parking facilities for residential uses with fewer than five (5) units are exempt from this standard but shall provide accessible spaces upon request of residents with handicaps.~~

Total Parking In Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9

501 to 1,000	2 percent of total
1,001 and over	20 plus 1 for each 100 over 1000

111 If an existing parking facility loses off-street parking spaces as a result of moving the facility toward compliance
 112 with the provisions of the Americans with Disabilities Act, the parking facility shall be credited with the number of
 113 parking spaces lost when calculating the total number of spaces provided for zoning purposes.

114 (f) The storage of merchandise or trucks, the repair of vehicles, or the business of selling merchandise is
 115 prohibited in off-street parking areas.

116 (d) Shared Parking. The zoning administrator may authorize a reduction in the total number of required parking
 117 spaces for two (2) or more uses jointly providing off-street parking when their respective hours of peak operation
 118 do not overlap. Shared parking shall be subject to the location requirements of section 63.304 and the following
 119 conditions:

121 (1) Computation. The number of shared spaces for two (2) or more distinguishable land uses shall be
 122 determined by the following procedure:

124 a. Multiply the minimum parking required for each individual use, as set forth in section 63.207,
 125 Parking requirements by use, by the appropriate percentage indicated in table 63.206(d), shared
 126 parking, for each of the six (6) designated time periods.

128 b. Add the resulting sums for each of the six (6) columns.

130 c. The minimum shared parking requirement shall be the highest sum among the six (6) columns
 131 resulting from the above calculations.

133 (2) Other uses or hours of operation. If one (1) or all of the land uses proposing to make use of shared
 134 parking facilities do not conform to the general land use classifications or hours of operation in table
 135 63.206(d), shared parking, as determined by the zoning administrator, then the applicant shall submit
 136 sufficient data to indicate the principal operating hours of the uses. Based upon this information, the zoning
 137 administrator shall determine the appropriate shared parking requirement, if any, for such uses.

139 (3) Alternative procedure. An application may be submitted requesting that the zoning administrator
 140 authorize a greater reduction in the total number of required parking spaces for two (2) or more uses where
 141 an applicant believes that table 63.206(d), shared parking, does not adequately account for circumstances
 142 unique to the particular property or properties in question. The application shall include, at a minimum, a
 143 parking study with a detailed description of the proposed uses, their hours of operation, their anticipated
 144 peak parking demand, and anticipated hours that such peak parking demand would occur. Based upon
 145 information demonstrating that the peak parking demand for the uses in question would not coincide, the
 146 zoning administrator may authorize a greater parking reduction than is authorized by table 63.206(d), shared
 147 parking.

149 (4) Process. An application for shared parking shall be submitted on a form approved by the zoning
 150 administrator. The zoning administrator may impose reasonable conditions to mitigate potential negative
 151 effects of a shared parking agreement. Planning commission approval is required if a shared parking
 152 agreement involves more than twenty five (25) shared parking spaces, results in more than a thirty five (35)
 153 percent decrease in required parking, or involves 3 or more parties or uses.

154 (5) Compliance. Parties to a shared parking agreement shall submit an annual statement to the zoning

administrator which verifies the nonconcurrent peak parking hours of the buildings involved with the shared parking agreement and a list of uses within each building to verify no changes have occurred that would require additional parking. If one or more of the parties or uses approved for the shared parking arrangement changes, the users shall submit an application to the zoning administrator, who will determine if the new combination of uses is eligible for a shared parking reduction or if additional off-street parking is required.

Table 63.206(d). Shared Parking

General Land Use Classification	Weekdays			Weekends		
	2 am – 7 am	7 am – 6 pm	6 pm – 2 am	2 am – 7 am	7 am – 6 pm	6 pm – 2 am
Office	5%	100%	5%	0%	10%	0%
Retail sales and services	0%	90%	80%	0%	100%	60%
Restaurant (not 24 hour)	10%	70%	100%	20%	70%	100%
Residential	100%	60%	100%	100%	75%	90%
Theater	0%	40%	90%	0%	80%	100%
Hotel						
Guest rooms	100%	55%	100%	100%	55%	100%
Restaurant /lounge	40%	60%	100%	50%	45%	100%
Conference rooms	0%	100%	100%	0%	100%	100%
Religious institution	0%	25%	50%	0%	100%	50%
Reception or meeting hall	0%	70%	90%	0%	70%	100%
Museum	0%	100%	80%	0%	100%	80%
School, grades K—12	0%	100%	25%	0%	30%	10%

(g) When any land or building is used for two (2) or more distinguishable uses, or when owners or managers of a group of buildings in a contiguous area wish to provide parking cooperatively through a shared parking agreement, the planning commission may approve a shared off-street parking facility permit. The number of off-street spaces required to serve the combination of all uses shall be determined in accordance with this section. The uses to which this section may be applied are: Office, retail, restaurant, cinema, residential, and/or hotel. The methodology used to determine the minimum number of shared off-street spaces shall be the department of planning and economic development's current shared parking computer program, which is based on the Urban Land Institute's (ULI) Model Shared Parking Program. All mixed-use developments using this section shall meet the standards and requirements of the PED shared parking program subject to site plan approval as hereinafter set forth and except as otherwise amended herein. The following conditions shall apply to any shared parking facility for mixed uses:

(1) All requirements and conditions imposed upon the shared parking facility shall be recorded on the

abstracts or certificates of title of the land upon which the facility is located and on the titles and lease agreements of the uses sharing the facility and shall serve as notice to all subsequent purchasers of the existence of the shared parking facility and all requirements associated therewith.

(2) Each use in the mixed use development shall be within five hundred (500) feet of the shared parking facility, measured from the nearest point of the building in which the use is located to the nearest point of the shared parking facility.

(3) Parking spaces reserved on a twenty four hour basis cannot be shared and may not be included in the minimum space requirements for the shared parking facility.

(4) All uses and buildings comprising the mixed use development, whether new or existing, must be included in determining the parking requirement under this section.

(5) All applications and plans for shared parking facilities shall be submitted for site plan review in accordance with the requirements of this code. All proposed uses for the mixed use development, together with all parking spaces and access drives, shall be clearly designated on the site plan. Landscaped areas shall also be designated, and proposed tree and shrubbery plantings shall be described. The commission may attach such additional conditions to approval of the site plan as are reasonable and necessary to prevent any adverse impact upon nearby streets or properties.

(6) Parking spaces designated for the handicapped shall be provided in accordance with the provisions of the Accessibility Guidelines for Buildings and Facilities of the Americans with Disabilities Act (ADA).

(7) After a shared parking facility has been approved, any subsequent change, addition or deletion in the original mixed land uses or change in intensity of such uses requiring more than five (5) additional spaces shall require permit review and approval by the planning commission. No conditional use or occupancy permit for the new or changed uses shall be issued without such approval from the planning commission unless additional off street parking spaces are provided in accordance with *section 63.207*, Parking requirements by use. The applicant, its successors and assigns shall certify on demand in writing to the planning administrator and zoning administrator that the mixed use development and shared parking facility continue to comply with the provisions of this section, the conditions of site plan approval and any covenants, agreements or bonds executed in conjunction therewith; that no substantial physical or operational changes have been made to the mixed use development or shared parking facility; and that no intensification of uses has occurred.

(8) The month of the year that results in the greatest demand will be used to determine the minimum number of parking spaces required. The planning commission may modify the standard assumptions (percent auto usage, patrons outside hotel, captive market retail, noncaptive market—nonretail, and noncaptive market residential) if the applicant provides proof of one (1) or more of the following:

a. The location within five hundred (500) feet of the mixed use development of other parking facilities whose peak periods of use do not conflict with those of the proposed mixed use development or which have excess parking spaces;

b. For office uses, a ride sharing program, when the applicant submits evidence that it will organize and coordinate a viable ride sharing program. The applicant may be required to submit covenants or other appropriate instruments, in recordable form, to ensure that the applicant and its successors and assigns will continue to implement the ride sharing program. Performance bonds may also be required where appropriate; or

216 e. ~~Reservation by the applicant by way of covenant or other instrument in recordable form of land or~~
 217 ~~space within five hundred (500) feet of the mixed use development, sufficient to provide additional~~
 218 ~~parking spaces equivalent to the number of spaces being reduced for a period of not less than five (5)~~
 219 ~~years.~~

220 **Sec. 63.207. Parking requirements by use.**

221 (a) Off-street parking minimum. The minimum number of off-street parking spaces by type of use shall be
 222 determined in accordance with ~~the following schedule:~~ Table 63.207, Minimum Required Off-Street Parking By
 223 Use.

224 (b) Off-street parking reductions. The minimum number of off-street parking spaces as determined in Section
 225 63.207(a) may be reduced for:

- 226 1. Shared parking, as described in Section 63.206(d)
- 227 2. Bicycle parking, as described in Section 63.210(b)
- 228 3. Shared vehicle parking, as described in Section 63.211.

229 Such reduction does not change the requirements of paragraphs (c) and (d) below when minimum parking is
 230 exceeded, nor does it change the maximum number of off-street parking spaces permitted for the use.

231 (c) Off-street parking maximum. Surface parking facilities with more than fifteen (15) spaces shall not be
 232 created that exceed the specified off-street parking minimum for food and beverage uses by more than two
 233 hundred (200) percent or that exceed the specified minimum for all other uses by more than seventy (70)
 234 percent, unless a conditional use permit is approved based on demonstration of need. As an alternative, parking
 235 spaces over the maximum may be provided in a structured parking facility.

236 (d) Condition when minimum parking exceeded. When the minimum required parking as determined in Section
 237 63.207(a) is greater than ten (10) spaces and is exceeded through the provision of additional surface parking,
 238 supplemental stormwater landscaping shall be provided as required in Section 63.319(b).

239

Table 63.207 Minimum Required Off-Street Parking By Use	
Land Use	Minimum Number of Parking Spaces
<i>Residential Uses</i>	
<u>One- and two-family Dwelling unit</u>	1.5 spaces per unit
<u>Dwelling in RL zone</u>	2.0 spaces per unit
<u>Dwelling unit Housing on Irvine Avenue</u>	2.0 spaces per unit plus one (1) guest parking area per unit (see section 63.312)
<u>Multiple-family dwelling unit</u>	1 space per 1-2 room unit, 1.5 spaces per 3-4 room unit, and 2 spaces per unit with 5 or more rooms. <u>For the purpose of this requirement:</u> efficiency unit = 1 room, one bedroom unit = 2 rooms, two bedroom unit = 3 rooms, three bedroom unit = 4 rooms,

	four bedroom unit = 5 rooms, and so on. <u>A den, library, or other extra room shall count as a room; kitchen, dining and sanitary facilities shall not.</u>
Housing for the elderly	0.33 spaces per unit
<u>Live-work dwelling unit</u>	<u>2 spaces per unit</u>
Community residential facility, emergency housing facility, <u>free-standing foster care home,</u> <u>overnight shelter,</u> shelter for battered persons, transitional housing facility	1.5 spaces per every 4 2-adult facility residents
Mission	1 space per employee
Sober house	1.5 spaces per every 4 adult residents
Rooming-house, <u>boardinghouse</u>	1 space per 3 occupancy units
Boarding care home	1 space per 2 beds and 1 space per day shift employee or full-time equivalent
Nursing home, <u>boarding care home, assisted living, hospice</u>	1 space per every 3 residents beds and 1 space per each 2-day shift employees or full-time equivalent
Dormitory, <u>fraternity, sorority</u>	1 space for per every 3 residents beds
Fraternity, sorority	1 for every 5 active members or 1 for every 2 beds, whichever is greater
<i>Civic and Institutional Uses</i>	
<u>Educational Facilities</u> and religious institutions	
Day care center	1 space per employee
Elementary/middle/junior high school	1 space per employee teacher or administrator
Senior high school	1 space per employee, teacher and staff member and 1 space per 10 students
<u>College, university, seminary, technical college, trade school, business school, arts school, dance school</u>	1 space per every 2 employees and 1 per every 3 full-time students not on campus or 1 for every 3 part-time students, whichever is greater, plus required parking for other uses
Technical college, trade school, business school	1 space per every 2 employees and staff members and 1 per every full-time student or 3 part-time students
University, college, seminary	1 per every 2 employees and staff members and either 1 per every 3 full-time students not on campus or 1 for every 3 part-time students, whichever is greater
<u>Social, cultural and recreational facilities</u>	
Club, lodge hall	1 space per 75 sq. ft. GFA
Golf course	4 6-spaces per hole and 1 per employee
Golf driving range	1 space per 15 feet of driving line
Museum, art gallery	1 space per 500 sq. ft. GFA
<u>Non-commercial recreation, m</u> Multi-use community center	1 space per 1,000 250 sq. ft. GFA
Public library	1 space per 500 450 sq. ft. GFA
<u>Religious Institutions</u>	
Church, chapel, synagogue, temple place of worship	1 space per 250 sq. ft. GFA 1 space per 3 seats or 6 feet of pews in the main unit of worship
Convent, monastery, religious retreat	1 space per every 3 residents
<u>Public Services and Utilities</u>	

Utility building or public service building or yard	1 space per employee
Commercial Uses	
Offices	
Office (including, but not limited to: administrative, financial, insurance, professional, real estate, and sales offices)	1 space per 400 sq. ft. GFA
General office	1 space per 350 sq. ft. GFA
Office park	1 space per 400 sq. ft. GFA
Finance, insurance, real estate office	1 space per 275 sq. ft. GFA
Photographic studio	1 space per 400-800 sq. ft. GFA
Medical facilities	
Hospital	1-8 1 spaces per 2 beds
Medical or dental clinic, office medical laboratory	1 space per 400-250 sq. ft. GFA
Veterinary clinic/hospital	1 space per 400-250 sq. ft. GFA
Retail sales and services	
General retail, service business, bank, credit union, building materials center, business sales and services, convenience market, currency exchange, dry cleaning, commercial laundry, food and related goods sales, food shelf, furniture/appliance store, gun shop, shooting gallery, liquor store, lumber yard, massage center, pawn shop, photocopying, repair shop, self-service laundromat, supermarket, tattoo shop, tobacco shop	1 space per 400 sq. ft. GFA up to 30,000 sq. ft. GFA, plus 1 space for each additional 800 sq. ft. GFA over 30,000 sq. ft. GFA
General retail, retail stores in general	1 space per 225 sq. ft. GFA
Bank	1 space per 240 sq. ft. GFA plus 5 stacking spaces per lane for drive-in bank
Beauty parlor, barber shop	1 space per 250 sq. ft. GFA
Convenience market, supermarket	1 space per 250 sq. ft. GFA
Drug store	1 space per 250 sq. ft. GFA
Furniture/appliance store	1 space per 500 sq. ft. GFA
Hardware/paint store	1 space per 340 sq. ft. GFA
Laundromats, coin-operated dry cleaners	1 space per every 3 washing or cleaning machines
Lumber yard, building materials center	1 space per 275 sq. ft. of indoor sales area plus 1 space per 5,000 sq. ft. of warehouse/storage
Massage parlor	1 space per 300 sq. ft. GFA

<u>Greenhouse, garden center</u>	1 space per 400 sq. ft. GFA plus 1 space per 1,000 sq. ft. outdoor sales or display area
<u>Mortuary, funeral home</u>	1 space per 150 sq. ft. GFA
Multi-use retail center	1 space per 400 280-sq. ft. GFA up to 30,000 sq ft GFA, plus 1 space for each additional 800 sq ft GFA over 30,000 sq. ft. GFA
Package delivery service	1 space per 500 sq. ft. GFA plus 1 space per employee
Post office	1 space per 500 sq. ft. GFA plus 1 space per each 2 employees
Pawn shop, within a completely enclosed building	1 space per 225 sq. ft. GFA
Pawn shop, with outdoor sales space	1 space per 400 sq. ft. of area for sales, office, plus 1 space per 2,000 sq. ft. of outdoor sales
Repair shop	1 space per 300 sq. ft. GFA
Service business with sShowroom or workshop, contractor's shop, exhibition hall	1 space per 900 sq. ft. GFA
Food and Beverages	
<u>Brew on premises store</u>	<u>1 space per 900 sq. ft. GFA</u>
<u>Catering</u>	<u>1 space per 900 sq. ft. GFA</u>
Coffee shop, tea house	1 space per 400 475 sq. ft. GFA
Restaurant with or without on-sale wine, strong beer, or nonintoxicating malt liquor	1 space per 125 sq. ft. GFA
<u>Restaurant, carry-out, deli, fast food, with or without strong malt/wine or liquor</u>	<u>1 space per 400 sq. ft. GFA</u>
<u>Restaurant with strong malt/wine and entertainment license class A</u>	<u>1 space per 400 sq. ft. GFA</u>
Establishment with on-sale intoxicating liquor or <u>and</u> entertainment license class A or B	1 space per 100 sq. ft. GFA and as required in section 63.206(c) 62.103(f)(3)
Establishment with on-sale intoxicating liquor or <u>and</u> entertainment license class B or C	1 space per 75 sq. ft. GFA and as required in section 63.206(c) 62.103(f)(3)
Restaurant, carry out	1 space per 225 sq. ft. GFA
Restaurant, fast food	1 space per 110 sq. ft. GFA plus 6 stacking spaces for drive-through lane
Lodging	
Bed and breakfast residence	<u>1-1.5</u> spaces per dwelling unit and 0.5 spaces per guest room
Hotel, <u>inn</u> , or motel	1 space per <u>3</u> occupancy units plus <u>required parking additional</u> for bars, restaurants, assembly rooms
Commercial Recreation and Entertainment	
Basketball, volleyball court	<u>6-9</u> spaces per court
Bowling, bocce ball center, billiard hall	<u>2-4</u> spaces per lane, <u>1-2</u> spaces per table plus required parking for other uses
Dance hall, bingo hall, electronic game rooms, assembly halls without fixed seats, <u>exhibition hall, reception hall</u>	1 space per 200 75-sq. ft. GFA
<u>Electronic game room</u>	<u>1 space per 400 sq. ft. GFA</u>
<u>Golf, driving range</u>	<u>1 space per 15 feet of driving line</u>
Golf, miniature Miniature golf	1 space per hole
<u>Health/sports club (including, but not limited to: yoga,</u>	1 space per 400 260-sq. ft. GFA plus 1 space per

karate club	employee
Marina	1 space per 2 slips
Roller rink, ice-skating rink	1 space per 300 400 sq. ft. GFA
Stadium, sports arena	1 space per 4 seats or 8 feet of benches plus 1 space per 2 employees
Swimming club	1 space per 400 sq. ft. GFA
Tennis, racquetball, handball, courts/club	2 3-spaces per court or lane, 1 space per 300 260 sq. ft. GFA plus required parking for other uses of related uses, and 1 space per employees
Theater, auditorium, <u>assembly hall with fixed seats, concert hall</u>	1 space per 4 seats and 1 space per 2 employees
Automobile Services	
Automobile convenience market	1 space per 400 225 sq. ft. GFA
Automobile repair station-shop , service station, body shop, specialty store	1 space per 400 275 sq. ft. GFA plus 1 space per each auto service stall
Auto repair accessory to auto sales	1 2 spaces per auto service stall
Automobile sales new/used and rental	1 space per 400 sq. ft. GFA or area for sales, office, plus 1 space per 5,000 2,000 sq. ft. of outdoor sales
Car wash	5 stacked spaces per washing lane, 2.5 spaces per stall for self-service, and 1 space per 2 employees
Limited Production, Processing and Storage	
<u>Limited production and processing</u>	<u>1 space per 1,000 sq. ft. GFA or 1 space per 2,000 sq. ft. GFA if more than 50% of production floor space is occupied by automated machinery</u>
<u>Self-service storage</u>	1 space per 5,500 sq. ft. GFA
Warehousing, storage	1 space per 5,000 sq. ft. GFA
<u>Wholesale establishment-Wholesaling</u>	1 space per 1,500 sq. ft. GFA
Industrial Uses	
Industrial, manufacturing	1 space per 1,000 650 sq. ft. GFA or 1 space per 2,000 sq. ft. GFA if more than 50% of production floor space is occupied by automated machinery
Research, and development <u>and testing laboratory</u>	1 space per 575 sq. ft. GFA
Sheltered workshop	1 space per employee plus 1 for each 25 program participants
<u>Utility building</u>	1 space per employee

240 **Sec. 63.208. Parking requirements for other uses.**

241 For those uses not specifically mentioned in section 63.207, the requirements for off-street parking shall be in
242 accordance with a use which the ~~planning commission-zoning administrator~~ considers as similar in type pursuant to
243 Section 61.106, Similar use determination. When the ~~planning commission-zoning administrator~~ determines that
244 there is no use listed in section 63.207 which is similar to a petitioning use, the ~~planning commission-zoning~~
245 administrator may determine the minimum number of parking spaces required for such use.

246 **Sec. 63.209. Legal nonconforming parking deficiency.**

247 Nonresidential uses with a legal nonconforming parking deficiency may provide additional parking spaces, at a time

248 ~~when~~ not associated with the expansion of the gross floor area or a change in use requiring additional parking, and
249 bank those additional spaces to be that can be "saved" and used to meet a future increase in the parking requirement
250 due to a change of use or addition. Such additional parking must be legally added with an approved site plan and can
251 only be "saved" banked for three (3) years from site plan approval date for surface parking and for six (6) years from
252 site plan approval date for structured parking. Such parking will not be used to decrease the legal nonconforming
253 parking deficiency for this period of time. If these parking spaces are not needed to meet a new parking requirement
254 associated with either an expansion of the gross floor area or a change in use requiring additional parking, after three
255 (3) years for surface parking or after six (6) years for structured parking, the parking spaces will be used to decrease
256 any legal nonconforming parking deficiency that may exist.

257 **Sec. 63.211. Shared vehicle parking.**

258 Where one or more passenger automobiles are provided and managed on-site by an official car sharing provider for
259 public use, the minimum required off-street parking as determined in Section 63.207(a) may be reduced by up to ten
260 (10) percent. For the purpose of calculating the required parking reduction, one (1) car sharing vehicle and
261 associated space may be substituted for every ten (10) standard parking spaces.

262 **Sec. 63.212. Preferential parking spaces.**

263 For office, industrial, and institutional uses with more than twenty (20) parking spaces, up to five (5) spaces or five
264 percent (5%) of parking spaces, whichever is less, may be reserved and designated for use by any of the following
265 types of vehicles:

266 (a) Car pool or van pool vehicles.

267 (b) Vehicles designated as "US EPA Certified SmartWay® Elite" and displaying an official "SmartWay Elite"
268 icon;

269 (c) Share car or vehicle as provided under Section 63.211;

270 Preferential parking spaces shall be placed in a convenient location proximate to the building entrance and identified
271 with appropriate signage. Preferential parking spaces shall count towards the total required parking spaces.

272 **Sec. 63.213. Accessible parking spaces.**

273 If parking spaces are provided for self-parking, accessible spaces shall be provided as required by the Accessibility
274 Guidelines for Buildings and Facilities of the Americans with Disabilities Act (ADA) in conformance with the table
275 below. One (1) in every eight (8) accessible spaces, with a minimum of one (1) space, shall be van accessible.
276 Required spaces need not be provided in the particular lot but may be provided in a different location if equivalent or
277 greater accessibility is ensured. Each space reserved for the exclusive use of persons with mobility impairments shall
278 be designated by a sign with the international wheelchair symbol. Parking facilities for residential uses with fewer
279 than five (5) units are exempt from this standard but shall provide accessible spaces upon request of residents with
280 disabilities.

281

<u>Total Parking In Lot</u>	<u>Required Minimum Number of Accessible Spaces</u>
<u>1 to 25</u>	<u>1</u>
<u>26 to 50</u>	<u>2</u>
<u>51 to 75</u>	<u>3</u>
<u>76 to 100</u>	<u>4</u>

<u>101 to 150</u>	<u>5</u>
<u>151 to 200</u>	<u>6</u>
<u>201 to 300</u>	<u>7</u>
<u>301 to 400</u>	<u>8</u>
<u>401 to 500</u>	<u>9</u>
<u>501 to 1,000</u>	<u>2 percent of total</u>
<u>1,001 and over</u>	<u>20 plus 1 for each 100 over 1000</u>

282 At facilities providing medical care and other services for persons with mobility impairments, parking spaces shall
283 be provided in accordance with section 63.206(c) except as follows:

284 (a) Outpatient units and facilities: ten (10) percent of the total number of parking spaces provided for each such
285 outpatient unit or facility shall be accessible to persons with disabilities;

286 (b) Units and facilities that specialize in treatment or services for persons with mobility impairments: twenty
287 (20) percent of the total number of parking spaces provided for each such unit or facility shall be accessible to
288 persons with disabilities.

289 If an existing parking facility loses off-street parking spaces as a result of moving the facility toward compliance
290 with the provisions of the Americans with Disabilities Act, the parking facility shall be credited with the number of
291 parking spaces lost when calculating the total number of spaces provided for zoning purposes.

292 **Sec. 63.214. Use of required parking facilities.**

293 Required parking spaces shall be available for the use of residents, customers, or employees of the use. The storage
294 of merchandise or trucks, the repair of vehicles, or the business of selling merchandise is prohibited in off-street
295 parking areas.

296 **ARTICLE III. 63.300. OFF-STREET PARKING FACILITY STANDARDS AND DESIGN**

297 **Sec. 63.302. Site plan review.**

298 A site plan shall be submitted for review as outlined in section 61.402. In addition, the following shall be submitted:

299 (a) Ownership of all lots or parcels intended for use as parking;

300 (b) Indication of all structures or facilities to be served by the off-street parking facility; ~~and~~

301 (c) All applications and plans for shared parking facilities;

302 (d) ~~(e)~~ Location and direction of drainage for stormwater runoff; and

303 (e) Location and design of stormwater management features such as stormwater landscaping, rain gardens, bio-
304 retention areas, swales, infiltration trenches, sand filters, and porous pavement, including construction details
305 where applicable.

306 Applications for building permits that involve changing any parking space to another use shall include the following
307 information:

308 (1) All uses, structures or facilities served by such off-street parking spaces;

309 (2) Total number of parking spaces accessory to such uses, structures or facilities; and

310 (3) Number of parking spaces proposed to be changed to another use.

311 **Sec. 63.303. Parking location, residential.**

312 Residential off-street parking shall consist of an off-street parking facility or parking spaces as defined in this code.
313 Parking spaces for one- and two-family dwelling units shall be located on the same zoning lot that they are intended
314 to serve. Parking spaces for buildings containing three (3) or more dwelling units shall be on the same zoning lot,
315 part of a shared parking arrangement pursuant to section 63.206(d), in a VP vehicular parking district, or in an
316 abutting zoning lot in the same or less restrictive zoning district.

317 When residential parking is provided as part of a shared parking arrangement, the shared parking facility shall be
318 clearly designated with an identification sign as described in section 64.401(j) and located within five hundred (500)
319 feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the
320 off-street parking facility.

321 **Sec. 63.304. Parking location, nonresidential.**

322 Off-street parking for other than residential use shall be either:

323 (a) On the same zoning lot as the building it is intended to serve; or

324 (b) In a VP vehicular parking district ~~or~~ within the same or a less restrictive zoning district as the principal use or
325 within a more restrictive zoning district providing the principal use is also an allowed use in that zone. This
326 parking shall be located within three hundred (300) feet of the building it is intended to serve, measured from the
327 nearest point of the building to the nearest point of the off-street parking lot; or

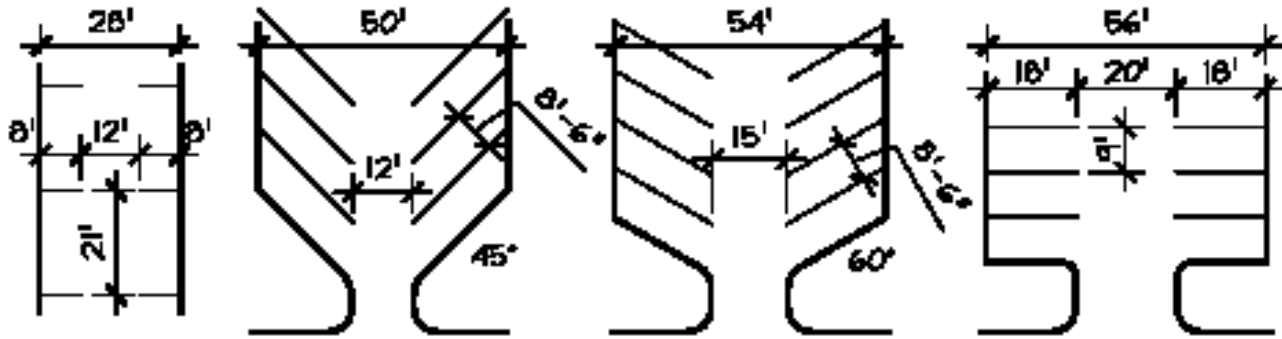
328 (c) Part of a shared parking arrangement pursuant to section 63.206(d) or a shared commercial parking
329 arrangement in an institutional lot pursuant to section 65.732. The shared parking facility shall be clearly
330 designated with an identification sign as described in section 64.401(j) and located within five hundred (500)
331 feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of
332 the off-street parking facility.

333 **Sec. 63.305. Minimum layout dimensions.**

Pattern	Parking Space Width	Parking Space Length	Maneuvering Lane Width
Parallel Parking	8 ft.	21 ft.	12 ft.
30 - 53	8 ft., 6 in.	18 ft.	12 ft.
54 - 74	8 ft., 6 in.	18 ft.	15 ft.
75 - 90	9 ft.	18 ft.	20 ft.

334 The front two (2) feet of the standard parking space may be landscaped (instead of paved) with ground cover plants
335 which the vehicle can overhang. Landscaped portions of parking spaces count toward parking lot interior
336 landscaping requirements and overall site landscaping requirements, but do not count toward perimeter landscaping
337 requirements.

338 INSET: Parking Space Pattern [New figure below]



339

340 **Sec. 63.307. ~~Handicapped~~ Accessible parking spaces and passenger loading zones.**

341 Parking spaces and passenger loading zones for persons with disabilities ~~the handicapped~~ shall be designed in
 342 accordance with the provisions of the Accessibility Guidelines for Buildings and Facilities of the Americans with
 343 Disabilities Act (ADA).

344 **Sec. 63.308. Maneuvering lanes.**

345 ~~Except as provided in section 63.309, access to any parking space for a use other than one- or two-family~~
 346 ~~structures~~ Access to all off-street parking facilities shall be provided by a maneuvering lane. ~~All off-street parking~~
 347 ~~facilities shall be designed~~ so that any vehicle leaving or entering the facility from or onto a public street shall be
 348 traveling forward; except in the following circumstances:

- 349 (a) Parking for one- and two-family structures;
 350 (b) Parking facilities with seven (7) or fewer parking spaces where the applicant can establish, in the review of a
 351 site plan application, that allowance of alley access would not create or aggravate an unsafe condition; and
 352 (c) As provided in section 63.309.

353 Driveways for one- and two-family dwellings shall be a minimum of eight (8) feet in width.

354 **Sec. 63.310. Entrances and exits.**

355 ...

356 (f) Alley access from nonresidential property. Entrances and exits to and from all off-street parking facilities
 357 which are located on land in nonresidential zoning districts and which abut residentially zoned land across an
 358 alley shall be denied alley access except where the applicant can establish, in the review of a site plan
 359 application, that allowance of alley access would not create or aggravate an unsafe condition and one (1) or more
 360 of the following conditions exist:

- 361 (1) Alternatives to alley access are unsafe due to traffic volumes, traffic speeds, proximity to an intersection,
 362 steep slopes, a blind pedestrian crossing, or some other unsafe condition;
 363 (2) The location of existing structures on the property prohibits access to the street;
 364 (3) A comprehensive plan or a neighborhood plan approved by the city council recommends that new off-
 365 street parking facilities be located in the rear of development sites or discourage additional curb cuts or
 366 driveways across sidewalks; or
 367 (4) The number of parking spaces in the off-street parking facility is seven (7) or less.

368 If a new alley access is proposed which will serve eight (8) or more parking spaces, notice to adjacent property
 369 owners and opportunity for them to comment shall be provided in the manner set forth in section 61.402(b)(5).

370 Decisions to grant or deny alley access are subject to appeal pursuant to the provisions of section 61.700.
371 For parking facilities of seven (7) or fewer parking spaces, the spaces may be directly off of the alley and the
372 maneuvering lane may include the alley.
373 Uses prohibited alley access elsewhere in the zoning code shall not be permitted alley access by the provisions
374 of this section.
375 (g) Entrances and exits to and from a parking facility shall be at least five (5) feet from existing or planned
376 boulevard trees.

377 **Sec. 63.311. Wheel stops.**

378 Provisions shall be made ~~by use of such devices as curbs, wheel stops and earth berms~~ to prevent vehicles from
379 damaging or overhanging adjacent property, ~~or public rights-of-way,~~ or damaging required landscaping by use of
380 such devices as curbs, wheel stops, or other protective barriers. A two (2) foot landscaped vehicle overhang is
381 allowed in accordance with Section 63.305 Minimum Layout Dimensions.

382 **Sec. 63.312. Setback.**

383 Except as otherwise provided in section 66. 442(ae) or section 66.431(b) off-street parking spaces shall not be within
384 a required front or side yard and shall be a minimum of four (4) feet from any lot line. For housing on Irvine
385 Avenue, a guest parking space may be provided on the driveway or elsewhere. If it is provided elsewhere, a guest
386 parking area is exempt from setback requirements for parking spaces and it may be paved with gravel.

387 **Sec. 63.314. Landscaping.**

388 For any parking facility, other than ~~a structured parking garage~~, landscaping shall be provided to buffer the facility
389 from adjacent properties and from the public right-of-way; reduce the visual glare and heat effects of large expanses
390 of pavement; and provide areas for the retention and absorption of stormwater runoff. All required yards and any
391 underdeveloped space shall be landscaped using materials such as trees, shrubs, sod, ~~or~~ groundcover plants, or
392 stormwater landscaping as required in Section 63.319, Stormwater runoff, and defined in Section 60.213.

393 Any landscaped area shall be planted and maintained in accordance with section 63.115, Landscaping and plant
394 materials. All parking and loading areas (including drive-through facilities, outdoor auto sales and rental, pump
395 island service areas and stacking spaces) adjoining public streets or sidewalks shall provide:

396 (a) *Perimeter landscape.* A landscaped yard at least 4 feet wide along the public street or sidewalk. If vehicles
397 ~~may~~ overhang the yard, an additional three (3) feet of width shall be provided.

398 (b) *Screening landscape.* In all districts except industrial districts, screening shall be provided consisting of a
399 masonry wall or decorative fence (not including chain link) supplemented with landscape material, forming a
400 screen a minimum of three (3) feet in height, a maximum of four and one-half (4 1/2) feet in height not including
401 trees, and not less than 50 percent opaque.

402 (c) *Interior landscape.* ~~In addition to perimeter landscaping, parking lots of more than fifty (50) cars shall~~
403 ~~contain planted islands. As a minimum, one (1) square foot of landscaped area shall be provided for every ten~~
404 ~~(10) square feet of paving. Parking facilities with more than twenty (20) parking spaces or 6,000 square feet of~~
405 paving, whichever is less, shall provide fifteen (15) square feet of interior landscaped area for every one hundred
406 (100) square feet of paving. Interior landscaping may not substitute for perimeter landscaping, but may join
407 perimeter landscaping as long as it extends at least four (4) feet into the parking area from the perimeter
408 landscape line.

(d) Tree Plantings. A minimum of at least one (1) shade tree shall be planted for every five (5) parking spaces in a surface parking lot. Trees shall be planted within the perimeter landscaping and any required interior landscaping. Each tree shall be planted in landscaped areas or in the center of unpaved tree wells of at least three (3) feet in soil depth and one hundred (100) square feet in area as measured from the interior edge of curbing or paving, with a minimum dimension of four (4) feet wide. A soil volume of greater than five hundred (500) cubic feet per tree with a minimum planting dimension of eight (8) feet is recommended for improved tree health and survival.

~~(d) A fast food restaurant that is not part of a retail strip center shall provide, as a minimum, one and one half (1.5) square feet of landscaped area for every ten (10) square feet of paving.~~

(e) Internal Walkways. Parking facilities with more than 125,000 square feet of paved area shall provide internal walkways that divide the parking lot into smaller areas no greater than 55,000 square feet. Internal walkways shall be a minimum width of four (4) feet and should connect primary buildings on the site with access to parking areas and the public sidewalk system on adjacent streets. With the exception of walkway/driveway crossings, walkways should be separated from vehicle parking or maneuvering areas by grade, different paving material, or landscaping. Internal sidewalks shall meet the requirements of applicable accessibility standards and other design and construction standards adopted by the City.

Sec. 63.315. Maintenance.

All areas of all off-street parking facilities shall be kept in a good state of repair and free from refuse and debris. Required parking areas shall be cleared of snow within a reasonable time.

Sec. 63.318. Lighting.

All parking facilities, including bicycle parking, shall be illuminated to a level to allow safe, secure access to the parking facility and within it. Light fixtures on the top level of parking structures shall be set back from the edge so that they are not visible from the adjoining street. All parking facility illumination shall conform to the provisions of section 63.116, exterior lighting.

Sec. 63.319. Stormwater runoff.

(a) Stormwater drainage from off-street parking facilities of greater than one-quarter (1/4) of an acre of total disturbed area into public sewers shall be controlled so that peak stormwater discharge rates from the site for all storms up to and including the critical 100-year frequency will not exceed:

$$Q = 1.64 \times A$$

where Q = the maximum acceptable discharge rate in cubic feet per second and A = the site area in acres.

Parking facilities shall be designed in accordance with best management practices to comply with required local and regional water quality, volume, and rate control standards. These standards include but are not limited to Chapter 52, Stormwater Runoff. Parking lots shall also abide by operation and maintenance regulation as specified by local and regional authorities, so that discharge of all stormwater runoff and surface water shall be in a fashion so as to preclude drainage of water onto adjacent property or toward buildings.

(b) For sites with greater than one-quarter (1/4) of an acre of total disturbed area, when the minimum required parking as determined in Section 63.207(a) is constructed as surface parking and is exceeded by more than four

(4) parking spaces, the following provisions for stormwater management shall apply unless otherwise regulated in an overlay zoning district:

(1) Thirty (30) square feet of stormwater landscaping shall be provided per parking space over the minimum required parking. Stormwater landscaping shall be designed to include an under drain system if stormwater landscaping is located in areas with hydrologic soil type C (Sandy clay loam).

(2) Stormwater landscaping shall not be required if located in areas with hydrologic soil type D (Clay); groundwater or bedrock within 3 feet of the bottom of the infiltration area; nearby wells or utilities; or potential contamination.

(c) For parking facilities with greater than one (1) acre of total disturbed area, other local, state, and regional regulations also apply.

Section 2

That Legislative Code Chapter 63, Regulations of General Applicability, is hereby amended by adding a new section, 63.122(a-e), to be entitled Travel demand management, and to read as follows:

Section 63.122. Travel demand management.

(a) Purpose. The Travel Demand Management (TDM) provisions of this section are intended to implement Comprehensive Plan policies calling for balance and choice in transportation options; coordination between transportation options and land use; maximizing the use of alternative travel modes such as ridesharing, public transit, bicycling, and walking; and offering other choices such as staggered work hours, preferential parking, and telecommuting; in order to reduce motor vehicle travel and thus traffic congestion in the City, enhance the efficiency of transportation facilities and infrastructure, improve air quality, conserve energy and enhance productivity.

(b) Applicability. This section applies to any development or redevelopment, including phased construction, requiring one hundred (100) or more parking spaces, and to any change in use resulting in a parking increase of twenty-five (25) percent or fifty (50) parking spaces, whichever is less, and requiring one hundred (100) or more parking spaces, based upon the parking requirements in sections 63.207 and 63.208.

(c) Program requirements. No building or grading permit shall issue for any project subject to this section until the zoning administrator has issued written findings that a TDM plan has been prepared which meets the requirements of this section. All development, redevelopment, or change in use for which this section is applicable shall be subject to the following requirements.

(1) Plan submission and approval. The TDM plan must be submitted and approved as part of site plan review under the provision of section 61.402.

(2) Plan content. The TDM plan may be prepared by a qualified traffic engineer or the owner of the property where the project will take place. Assistance with writing a TDM plan may also be available through the City's designated Transportation Management Organization if such an organization is designated and available. All TDM plans shall contain at a minimum the following:

a. A description of the methodology used to create the TDM plan, including but not limited to forecasts of overall and peak period employment, customers, residents, trips generated, mode splits, parking demand and supply, and transit demand and supply;

b. A description of the TDM plan objectives and quantifiable goals, including peak hour vehicle trip reduction goals;

c. A description of TDM strategies and implementation actions, such as but not limited to: employer subsidized transit passes; on-site transit facilities; preferential parking for ride sharing, share car, and alternative fuel vehicles; on-site bicycle and pedestrian facilities; and telecommuting and flex scheduling opportunities;

d. A description of TDM evaluation measurements, processes, and benchmarks that will be used to determine the effectiveness of the TDM strategies used and progress towards achieving the TDM plan's goals;

e. Proposed total expenditures to implement the TDM plan for at least two (2) years following the issuance of the certificate of occupancy;

f. A statement that the TDM plan implementation date shall be six (6) months after the certificate of occupancy is issued; and

g. A statement that the TDM plan final compliance date shall be two (2) calendar years after the initial TDM plan implementation date.

(3) Security agreement. To ensure TDM plan implementation, the property owner/developer shall file a security agreement in the form of an irrevocable letter of credit, a performance bond, or cash escrow equal to the development's two year TDM plan budget specified in section 63.122(c)(2)e. Such security agreement shall be filed with the zoning administrator within one (1) year of site plan approval.

(d) Compliance. The developer, property owner, or their successors and assigns must demonstrate a good faith effort to meet the goals and implementation strategies set forth in the approved TDM plan by submitting to the zoning administrator an Annual Status Report within thirty (30) days of the one year and two year anniversary dates of the issuance of the certificate of occupancy for the project. The zoning administrator, within sixty (60) days of receipt of the Annual Status Report, will review the Report to determine if a good faith effort has been made to implement the goals described in the TDM plan or that the goals described in the TDM plan have been met. The Annual Status Report must at a minimum include written documentation of the following:

(1) Results of follow up surveys, in a format approved by the zoning administrator, to determine the progress toward achieving the goals set forth in the approved TDM plan;

(2) Documentation of annual expenditures made to implement the strategies listed in the TDM plan; and

(3) Evidence of implementation of TDM strategies listed in the TDM plan on a schedule that would reasonably allow achievement of TDM goals by the target compliance date.

(e) Final plan evaluation, release, forfeiture of security agreement. If the developer, property owner, or their successors or assigns demonstrates a good faith effort to achieve the goals set forth in the approved TDM plan by the TDM plan compliance date, the TDM security agreement shall be released by the zoning administrator within ten (10) business days of the administrator's determination. Failure to comply with the provisions of an approved TDM plan constitutes a violation of this Code. If the developer, property owner, or their successors or assigns fail to submit a timely Annual Status Report that demonstrates a good faith effort to achieve the goals set forth in the approved TDM plan, the zoning administrator may hold the TDM plan's security agreement for an additional twelve (12) month period at the end of which period an additional Annual Status Report must be

submitted. At the end of the additional period, the zoning administrator shall determine whether there has been a good faith effort to reach the goals of the TDM plan. The TDM security agreement will either be released or forfeited based upon the administrator's determination. If the zoning administrator determines on the basis of the Annual Status Reports that the failure to implement the strategies set forth in the TDM plan or otherwise achieve the TDM plan goals is attributable to inexcusable neglect on the part of the developer, property owner, or their successors and assigns, the financial guarantee shall be immediately forfeited to the City.

Section 3

That Legislative Code Chapter 60, General Provisions and Definitions, pertaining to off-street parking requirements, facility standards and design, is hereby amended as follows:

Section 60.207. F.

Floor area, gross (for the purposes of computing parking). The sum of the horizontal areas of each floor of a building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings. The gross floor area measurement is exclusive of areas of unfinished basements, unfinished cellars, unfinished attics, attached garages, space used for off-street parking or loading, breezeways, enclosed and unenclosed porches and accessory structures. ~~However, unfinished basements and unfinished cellars are counted as storage space for purposes of meeting parking requirements.~~

~~*Floor area, gross leasable* (for the purposes of computing shared parking under section 63.206). The total floor area of a building or structure designed for the tenants' occupancy and exclusive use, including basements, mezzanines and upper floors, expressed in square feet and measured from the outside face of the exterior walls and from the centerline of common walls or joint partitions. All that area for which tenants pay rent, including sales and integral stock areas, but excluding stairwells, elevator shafts, mechanical rooms, space related to the operation and maintenance of the building, and lobbies and bathrooms located for common or public use rather than for tenant or internal use.~~

Section 60.213. L.

Landscaping, stormwater. Landscaping that integrates stormwater management into the aesthetic amenities of landscaping. Stormwater landscaping shall include recessed landscaped areas for water runoff collection, graded areas that direct runoff flows to landscaped areas designed for water collection, landscaped areas designed for temporary ponding after storms, and use of highly permeable soils conducive to water drainage.

Section 60.214. M.

Multiuse retail center. A single, unified development on one (1) zoning lot that provides commercial space to a variety of retail uses and has at least twenty thousand (20,000) square feet of gross floor leasable area.

Section 60.217. P.

Parking, structured. Off-street parking that is placed within a ramp, deck, underground, enclosed building, or tuck-under garage.

Pervious pavement. Paving material that allows water to flow through it to minimize stormwater runoff.

Section 60.219. R.

Runoff. Rainfall, snowmelt, or irrigation water flowing over the ground surface.

Section 4

That Legislative Code Chapter 63, Regulations of General Applicability, is hereby amended as follows:

Section 63.115. Landscaping and plant materials.

(a) Landscape plans shall be based on a comprehensive site and soil inventory, the surrounding landscape, sustainability issues and maintenance requirements. The following guidelines shall be used in developing landscape plans.

...

(3) Stormwater treatment shall employ best management practices and shall be integrated into the landscape design to the extent possible. When stormwater management is integrated into landscaping, the landscaping shall be referred to as stormwater landscaping.

Section 5

That Legislative Code Chapter 65, Land Use Definitions and Development Standards, is hereby amended as follows:

Section 65.142. Live-work unit.

(d) ~~A total of two~~ Off-street parking spaces shall be ~~provided for a live-work unit~~, located to the rear of the unit, or underground/enclosed.

Section 65.513. Drive-through sales and services, primary and accessory.

(e) Stacking spaces shall be provided for each drive-through lane. Banks, credit unions, and fast-food restaurants shall provide a minimum of four (4) stacking spaces per drive-through lane. Stacking spaces for all other uses shall be determined by the zoning administrator.

Additional condition in the TN2 traditional neighborhood district:

(~~f~~e) There shall be no more than one (1) drive-through lane and no more than two (2) drive-through service windows, with the exception of banks, which may have no more than three (3) drive-through lanes.

Section 65.615. Restaurant, fast-food.

...

(~~i~~) ~~A landscaped area not less than fifteen (15) percent of the impervious surface area of the lot shall be provided and maintained~~

(~~j~~) Impact on adjoining property by use of the site may not result in the following:

595 **Sec. 65.707. Car wash.**

596 *Standards and conditions:*

597 (d) A minimum of four (4) stacking spaces per washing lane and two (2) stacking spaces per self-service stall
598 shall be provided.

599

600

Section 6

601 That Legislative Code Chapter 66, Zoning District Uses, Density and Dimensional Standards, pertaining to off-
602 street parking requirements, facility standards and design, is hereby amended as follows:

603 **Section 66.341. Required conditions in TN1 – TN2 traditional neighborhood districts.**

604 (a) *Amount of parking.*

605 ~~(1) The minimum amount of required parking shall be as specified in chapter 63.~~

606 ~~(2) The maximum amount of surface parking shall not exceed the specified minimum by more than ten (10)~~
607 ~~percent or two spaces, whichever is greater. If additional parking is desired, it must be placed underground,~~
608 ~~within an enclosed building, or in a tuck-under garage.~~

609 ~~(3) For properties having frontage on a transit street, as defined, the minimum amount of required off-street~~
610 ~~parking for nonresidential uses, as specified in chapter 63, may be reduced by up to twenty-five (25) percent.~~

611 ~~(4) For properties within one-quarter (1/4) mile of a transit street, as defined, the minimum amount of~~
612 ~~required off-street parking for residential uses specified in section 63.207, Parking requirements by use, may~~
613 ~~be reduced to one (1) parking space per dwelling unit. This provision applies to principal and secondary~~
614 ~~dwelling units and units in mixed-use buildings, but not to live-work units.~~

615 **Section 66.342. Parking requirements in the TN3 traditional neighborhood district.**

616 (a) *Amount of parking.*

617 ~~(1) The minimum amount of required parking for residential uses specified in Section 63.207, Parking~~
618 ~~requirements by use, may be reduced to one (1) parking space per dwelling unit, shall be two-thirds (2/3) of~~
619 ~~the minimum specified in chapter 63. On-street parking located along the frontage of a property may be used~~
620 ~~to meet parking requirements for that property.~~

621 ~~(2) The maximum amount of off-street surface parking shall not exceed one hundred (100) percent of the~~
622 ~~minimum specified in chapter 63. If additional parking is desired, it must be placed underground, within an~~
623 ~~enclosed building, or in a tuck-under garage~~

624 **Section 66.442. Parking requirements in the BC community business (converted) district.**

625 In the BC community business (converted) district, when existing buildings are converted from residential to
626 business use, when existing buildings are enlarged, and when new buildings are erected, off-street parking shall be
627 provided as follows:

628 ~~(a) Residential uses: One and one half (1 1/2) spaces per dwelling unit.~~

629 ~~(b) All other uses: One (1) space for every four hundred (400) square feet of gross floor area or as required in~~
630 ~~section 63.200, whichever requires the fewer number of parking spaces.~~

631 ~~(a)~~ Off-street parking spaces shall not be located within a front yard and must be set back at least two (2) feet
632 from a side lot line.

633 ~~(b)~~ Off-street parking facilities on lots without principal buildings shall provide principal access from the
634 street.

635 **Section 66.704. Required conditions.**

636 ...

637 (f) Applications for VP district rezoning shall include a site plan which conforms to parking requirements as set
638 forth in section 63.200 and all standards set forth in section 63.300. ~~The planning commission may grant~~
639 ~~modifications of section 63.300 based on findings that such modification is consistent with the intent of the code~~
640 ~~and with the reasonable enjoyment of adjacent property.~~

641 (g) VP vehicular parking districts shall be developed and maintained in accordance with the requirements of
642 section 63.200 and section 63.300.

643

644 **Section 7**

645 That Legislative Code Chapter 67, Overlay Districts, pertaining to off-street parking requirements, facility standards
646 and design, is hereby amended as follows:

647 **Section 67.402. WB White Bear Avenue overlay district.**

648 (e) *Accessory parking regulations.* The following accessory parking regulations shall apply to the WB White
649 Bear Avenue overlay district:

650 (2) Quantity: Parking shall be provided as the zoning requires for each use, except as follows:

651 ...

652 c. The development of shared parking is allowed as regulated in sections 65.732 and 63.206(d)(g).
653 ~~Additionally, medical and service uses may participate in a shared parking agreement provided that~~
654 ~~it can be demonstrated that there will be adequate parking in combination with the other uses listed~~
655 ~~in section 63.206(g).~~

656 **ARTICLE VII. 67.700. CC CENTRAL CORRIDOR OVERLAY DISTRICT**

657 **Section 67.707. Parking regulations.**

658 The following parking regulations shall pertain to the CC Central Corridor Overlay District:

(a) *Amount of parking.* Nonresidential uses: the minimum amount of required off-street parking shall be as specified in Section 63.207, Parking requirements by use. The maximum amount of off-street parking shall be one-hundred and forty (140) percent of the parking requirement in section 63.207 and is subject to the provisions of section 63.207(c) and 63.207(d). ~~the number of off street parking spaces required shall be a minimum of sixty (60) percent to a maximum of eighty five (85) percent of the zoning code parking requirements in section 63.207. The maximum may be exceeded if the additional parking spaces are structured (in a ramp, deck, underground, or within a building).~~ Residential uses: there shall be no minimum parking requirement for residential uses. A maximum of one (1) space per unit may be provided. The maximum may be exceeded within the provisions of section 63.207(c). ~~if the additional parking spaces are structured.~~

Section 8

This ordinance shall become effective thirty (30) days after its passage, approval, and publication.

	Yeas	Nays	Absent
Bostrom			
Carter			
Harris			
Helgen			
Lantry			
Stark			
Thune			

Requested by Department of:

By: _____

Form Approved by City Attorney

By: _____

Adopted by Council: Date _____

Adoption Certified by Council Secretary

By: _____

Approved by Mayor: Date _____

By: _____

Form Approved by Mayor for Submission to Council

By: _____